

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Respondent,

No. CR S-89-0062 WBS GGH P

12 vs.

13 MICHAEL L. MONTALVO,

14 Movant.

ORDER

15 _____ /
16 Movant, a federal prisoner proceeding pro se, on April 27, 2006, filed a motion
17 entitled “motion for relief from judgment that is void for lack of subject matter jurisdiction....”

18 Counsel for movant has filed a notice of general appearance on behalf of movant
19 and a hearing is set for January 18, 2007, before the undersigned. Despite counsel’s notice,
20 movant asks the court to order his own appearance at the hearing as though he were proceeding
21 pro se; movant also continues to file motions and letters on his own behalf. It is inappropriate
22 for movant to communicate with the court except through his counsel, once he has either been
23 appointed or, as in this case, has retained counsel.

24 \\\\
25 \\\\
26 \\\\
27

1 Accordingly, IT IS ORDERED that movant's January 8, 2007, "motion" to be
2 present in court at time of the January 18, 2007, hearing is denied.

3 DATED: 1/11/07

4 /s/ Gregory G. Hollows

5

 GREGORY G. HOLLOWS
6 UNITED STATES MAGISTRATE JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

GGH:009
mont0062.rsp